

**MEMO ENDORSED**

**WHITE & CASE**

White & Case LLP  
1155 Avenue of the Americas  
New York, New York 10036-2787

Tel +1 212 819 8200  
Fax +1 212 354 8113  
www.whitecase.com

Direct Dial +1 212 819 8307 cglancy@whitecase.com

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September 30, 2010

BY HAND

Hon. Denise Cote  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1040  
New York, New York 10007

Re: In re Application of THP Capstar Acquisition Corp. (now known as DMX, Inc.)  
09 Civ. 7069 (DLC) (related case to United States v. ASCAP - 41 Civ. 1395)

Dear Judge Cote:

In accordance with this Court's Individual Practices, the American Society of Composers, Authors and Publishers ("ASCAP"), on behalf of itself and DMX, Inc. ("DMX"), respectfully requests redactions of certain information set forth in the September 22, 2010 submissions to the Court by ASCAP and DMX.<sup>1</sup>

Enclosed are the following: (1) a table setting forth ASCAP's and DMX's requested redactions;<sup>2</sup> (2) two full sets of ASCAP's Memorandum of Law in Opposition to DMX's Pretrial Brief and DMX's Memorandum in Response to ASCAP's Pretrial Memorandum of Law, with yellow highlights indicating the information that both ASCAP and DMX are requesting to be redacted; and (3) one partial, looseleaf set, containing no highlights, of solely those pages on which a party seeks to redact material.

<sup>1</sup> The parties have agreed that ASCAP will submit both ASCAP's and DMX's requested redactions.

<sup>2</sup> The table contains both ASCAP's and DMX's requested redactions, the page on which redactions are requested, the specific content for which the redaction request is made, the party requesting the redaction, and the reason for the redaction.

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ASCAP and DMX will await the Court's rulings on the proposed redactions before electronically filing via ECF public versions of their opposition brief submissions.

Respectfully submitted,



Christopher J. Glancy

Enclosures

cc: R. Bruce Rich, Esq.  
Richard H. Reimer, Esq.  
Sam Mosenkis, Esq.

*Granted. The documents may be  
filed in the public record  
with the redactions.*

*Denise Cote  
Oct. 29, 2010*